

# SOUTH DAKOTA RISK ASSESSMENT INSTRUMENT TRAINING

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# WHAT IS A RISK ASSESSMENT INSTRUMENT (RAI)?

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- A point-scale triage device
- Overall score used to guide the Intake Officer in making a decision to detain or release the youth
- Risks measured by the RAI
  - ▣ Re-offending pending court
  - ▣ Failure to Appear (FTA) pending court
- Keys to the RAI
  - ▣ Objectivity
  - ▣ Uniformity
  - ▣ Risk-based

# SOUTH DAKOTA RAI

## SOUTH DAKOTA JDAI RISK ASSESSMENT INSTRUMENT (RAI) VERSION 1.2

Last Name: _____	First Name: _____	Middle Name: _____
<b>Race/Ethnicity:</b> <input type="checkbox"/> African American <input type="checkbox"/> Asian <input type="checkbox"/> Caucasian <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Other: _____	<b>Sex:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female <b>Name of Tribe (if applicable):</b> _____	<b>DOB:</b> _____ <b>Affiliated:</b> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/> <b>Enrolled:</b> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/>
Referral ID #: _____	Intake Date: _____	Intake Time: _____
Primary (Most Serious) Referral Offense: _____		Placed By: _____

### 1. Most Serious Current Alleged Offense (Score only the most serious instant offense)

Felony Class A, B, C, 1, and 2	15
Use of firearm in a commission of an offense	15
Felony assault and Felony sex crimes	12
All other Felonies (including felony traffic offenses)	8
Misdemeanor Assault and Misdemeanor sex crimes	6
Class 1 Misdemeanors	3
Class 1 Misdemeanor Traffic Offense	3
Class 2 Misdemeanors	2
Violation of Probation and/or DOC Violations	1
CHINS or status offense	0
Failure to Appear Bench Warrant	0
SCORE	_____

### 2. Disposition and Class 1 Traffic Conviction History (Previous 24 months from intake date - Score only the most serious)

Two or more prior disposition for felony offense	6
One prior disposition for a felony offense	4
Two or more prior dispositions for any misdemeanor offenses	3
Two or more prior dispositions for probation violations or DOC formal findings	2
One prior disposition for any misdemeanor or status offense	1
No prior dispositions	0
SCORE	_____

### 3. Failure to Appear/Runaway/Escapes History (Within the last 24 months - Score only the most serious)

One or more escapes from secure confinement or custody	3
One or more instances of absconding from a non-secure Placement	2
Two or more reported runaways from home	1
Two or more failure to appear warrants (includes juvenile and magistrate warrants)	1
One or no failure to appear warrants (includes juvenile and magistrate warrants)	0
SCORE	_____

### 4. Pending Cases (Score only most serious)

One or more pending felonies (including felony traffic offenses)	6
One or more pending Misdemeanor Assault or Misdemeanor Sex Crime	4
One or more pending Class 1 Misdemeanors	3
One or more pending Class 1 Misdemeanors traffic offense in Magistrate Court	3
One or more pending Class 2 Misdemeanors	2
One or more pending Probation Violation or DOC formal finding	1
One or more pending status or CHINS offense	0
No pending cases	0
SCORE	_____

### 5. Aggravating Factors (Score all that apply)

On probation/DOC Aftercare for a Felony Class A, B, C, 1, or 2 offense, felony assault or a felony sex crime	1
Multiple offenses are alleged for this referral	1
Minor appears to be under the influence of drugs/alcohol at arrest (as indicated by Law Enforcement, Court Services, or DOC)	1
SCORE	_____

### 6. Mitigating Factors (Score all that apply)

Parent, guardian, or custodian can assume responsibility of the minor	-1
No arrests within the past 12 months	-1
No history of failure to appear within the past 24 months (includes juvenile and magistrate warrants)	-1
SCORE	_____

### 7. TOTAL RISK SCORE

INDICATED DECISION: 6 or Below - Release: \_\_\_\_\_ 7 to 11 - Alternative: \_\_\_\_\_ 12 or Above - Secure Detention: \_\_\_\_\_

Screened By: \_\_\_\_\_

Screener Comments: \_\_\_\_\_

### OVERRIDES (Must be approved by supervisor):

<input type="checkbox"/> Override Down
<input type="checkbox"/> Parent, Guardian, or Custodian is not available or is not suitable to receive the child (only an override into an alternative)
<input type="checkbox"/> Run Risk (only an override into an alternative)
<input type="checkbox"/> Minor has failed a detention alternative program
<input type="checkbox"/> Minor held pending referral to mental health/chemical dependency agency
<input type="checkbox"/> Minor held in custody for another jurisdiction
<input type="checkbox"/> Victim in the home and there is an immediate safety concern
<input type="checkbox"/> Close proximity of victim and there is an immediate safety concern
<input type="checkbox"/> Failure to Appear Magistrate Warrant
<input type="checkbox"/> Failure to Appear Juvenile Warrant
<input type="checkbox"/> Arrest Warrant
<input type="checkbox"/> Unable to pay warrant
<input type="checkbox"/> Other (Be specific): _____
Approved By: _____ Date: _____

Override Justification: \_\_\_\_\_

ACTUAL DECISION: Release \_\_\_\_\_ Conditional Release \_\_\_\_\_ Other Alternative \_\_\_\_\_ Secure Detention \_\_\_\_\_ DOC Hold Only \_\_\_\_\_

# DEFINITION and AUTHORITY of an INTAKE OFFICER

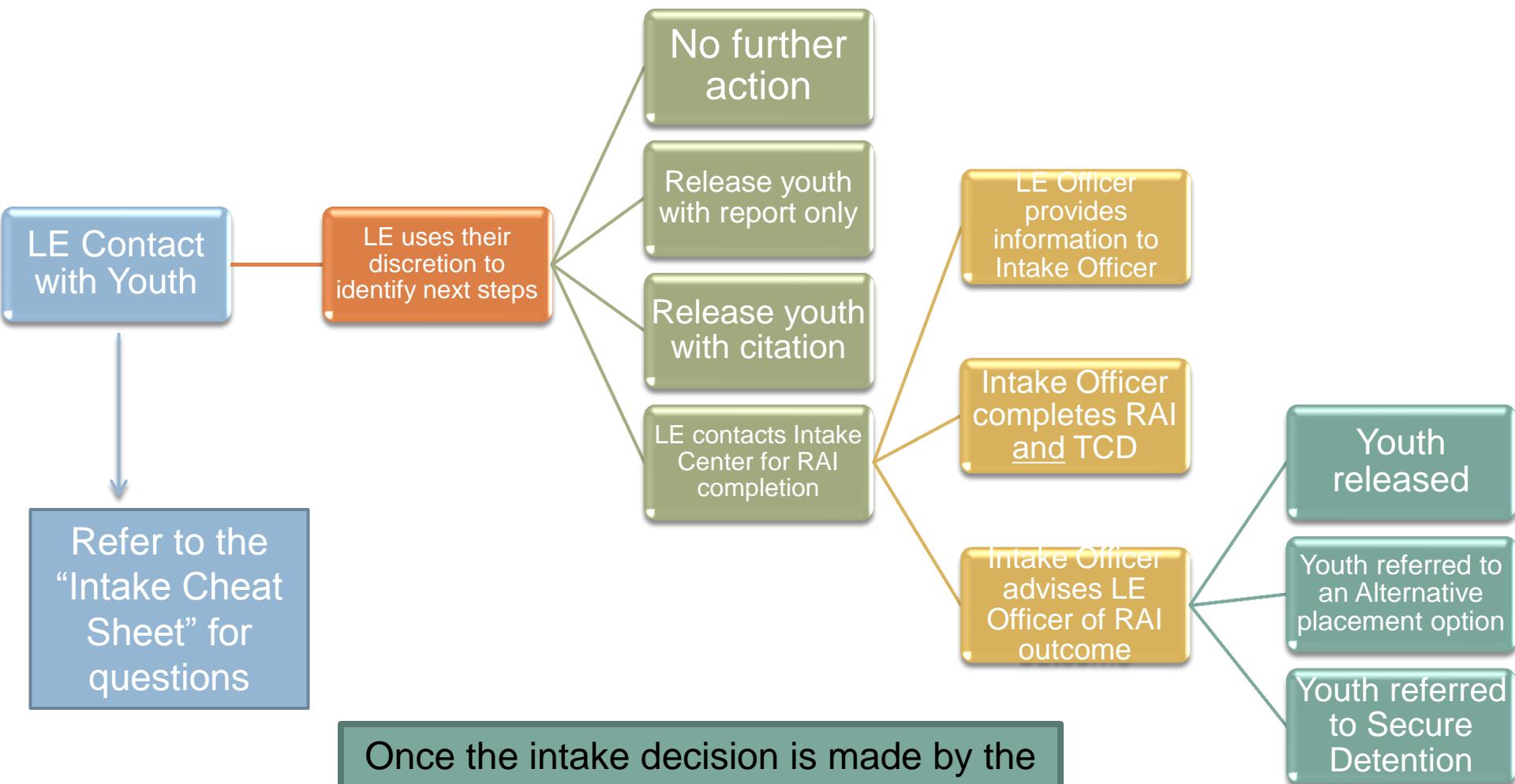
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- As per Codified Law:
  - ▣ *A judge of a circuit court or the court's designee who may not be a court services officer, law enforcement officer, or prosecuting attorney. For purposes of chapters 26-7A, 26-8A, 26-8B, and 26-8C, intake officers may administer oaths or affirmations as provided by chapter 18-3*
- Within the Supreme Court Rule:
  - ▣ As per the authority designated in SDCL 26-7A-1(20), the presiding judge in each circuit shall appoint **juvenile detention staff** or juvenile reception and intake center staff to serve as intake officers.
- Authority provided in order to:
  - ▣ Complete the RAI and make a decision regarding youth's custody status pending a Temporary Custody Hearing (or Detention Hearing)

# COMPLETING A RAI

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When <u>to</u> Complete a RAI	When <u>to Not</u> complete a RAI
A Mental Hold youth with new charges	A Mental Hold youth without new charges
A youth with a Magistrate offense <b><u>AND</u></b> juvenile court offenses	A youth with ONLY magistrate-related offenses (traffic offenses)
A DOC youth with new charges	A DOC youth with only a DOC hold
A youth with a magistrate warrant <b><u>AND</u></b> juvenile court charges	A youth with only a magistrate warrant (failure to pay fine, etc.)
Youth who have a new offense	Youth who are sentenced/remanded to be in detention by a Judge
A youth with a delinquent and/or CHINS offense <b><u>AND</u></b> a Citation	A youth with only a citation
A youth who is from out of state and has charges in South Dakota	A youth who is from out of state with no new SD charges



Once the intake decision is made by the Intake Officer, it is up to the Law Enforcement Officer to determine which detention facility or alternative facility they will utilize.

Once a location is identified, the Intake Officer will direct the RAI and TCD to

that facility

# COMPLETING the RAI – ODYSSEY INFORMATION

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- **Always** be sure that “**case manager**” is checked for the “centers” drop down at the top left of the page
- When searching, you can use “find a case” or “find a party”
- When searching for a name, you can utilize an asterisks to assist when there may be multiple spellings
  - ▣ For a last name, you will need at least three letters before typing in an asterisks
  - ▣ For a first name, you will need at least one letter before typing in an asterisks
    - This may increase the number of names that show up in your search, so utilize only when needed

# COMPLETING the RAI – ODYSSEY INFORMATION

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## (continued)

- ❑ Make sure to look at **all files** for the youth as there may be more than one file for one youth
- ❑ When in a specific file, go to the “cases” tab to find all case information
  - ▣ While searching cases, make sure that “file date” is highlighted in the scroll down box next to “sort” in the top right corner of the screen.
  - ▣ When considering timeframes, use the “filed on” date
- ❑ Make sure to be on the main cases screen when searching warrant history, not in a



# COMPLETING the RAI – DEMOGRAPHIC INFORMATION

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Last Name:	First Name:	Middle Name:
Race/Ethnicity: African American Asian Caucasian Hispanic Native American Other: _____	Sex: Male Female	DOB:
	Name of Tribe (if applicable):	Affiliated: Yes No Don't Know  Enrolled: Yes No Don't Know
Referral ID #:	Intake Date:	Intake Time:
Primary (Most Serious) Referral Offense:		Placed By:

A unique number identifying one RAI from another including the two letters identifying which intake center the RAI is completed:  
**Hughes = HU**\_\_\_\_  
**Brown = BR**\_\_\_\_  
**Codington =**  
**CD**\_\_\_\_  
**Beadle = BD**\_\_\_\_

Example: HU15001

If a youth is referred for more than one offense, this is what would be scored the highest in section one

County of Origin and Law Enforcement Entity (example: Minnehaha County Police Department)

When completing the demographic portion of the RAI, be sure to include all up to date and accurate information as this will be used in the future when discussing alternative options

# COMPLETING the RAI – SECTION ONE

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## □ **Section One – Most Serious Offense**

- Provided by the Law Enforcement Officer
- **Only** the most serious offense – even if more than one offense is listed
- Eligible offenses include:
  - All juvenile offenses
  - Felony traffic offenses
  - Class 1 misdemeanor traffic offenses
  - Arrest warrants
    - The offense related to the arrest warrant would be scored
  - Failure to Appear warrants

# COMPLETING the RAI – SECTIONS TWO AND FOUR

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□ Use the “disposition tab” with the applicable cases to find the information to score both section 2 and 4

▣ If a case is “pending,” it’s typically red or blue

▣ If a case has had

a Dispositiona Hearing, it’s typically black

If the case is “dismissed,” then it would **not** be counted

If it says “**sentence**,” then this case has had a disposition and is counted in section two

If there is no “**sentence**” and the last listed is “disposition,” then this case is still pending and is scored in

Disposition			
1. POSS MARIJUANA MORE 2 OUNCES LESS ONE-HALF POUND			
(F6) 22-42-6 (22-42-6MAR2)			
Plea		No Plea Entered	
Disposition		Dismissed-Motion by Prosecutor	
2. DIS/POS W/INTENT DIST 1OZ LESS MARJ TO MINOR			
(F5) 22-42-7 (22-42-7DGM5)			
Plea		Admit	
Disposition		Petition Sustained	
Sentence		Sentenced	
		Condition - Juvenile:	
3. USE OR POSSESSION OF DRUG PARAPHERNALIA			
(M2) 22-42A-3 (22-42A-3DGPB)			
Plea		No Plea Entered	
Disposition		Dismissed-Motion by Prosecutor	
4. PROBATION VIOLATION			
(NONE) 88-000-000 (PVIO)			
Plea		Admit	
Disposition		Petition Sustained	

# COMPLETING the RAI – SECTION THREE

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## Section Three – Failure to Appear/Runaway/Escape History

- The Failure to Appear and escape information is available in the Unified Judicial System Odyssey program
  - Once in the youth's main screen, click on the “warrants” tab

	<u>Returned</u>	Arrest Warrant Clerk's Office
ESCAPE BY PRISONER-SECOND DEGREE INTENTIONAL DAMAGE TO PROPERTY - \$400 LESS-3RD DEGREE PROBATION VIOLATION PROBATION VIOLATION Current Balance on Case(s) \$0.00		F5 - 05/15/2013 M2 - 05/15/2013 NONE - 07/22/2013 NONE - 09/03/2013
	<u>Returned</u>	Bench Warrant - Failure to Appear Clerk's Office
UNREGISTERED DISPENSING OF DRUGS OR OPERATION OF PHARMACY INGEST INTOXICANT OTHER THAN ALCOHOLIC BEVERAGE		M2 - 12/13/2011 M1 - 12/13/2011

- Runaway information is obtained from the Law Enforcement Officer
  - Any runaway/escape that had been called in and entered into the Law Enforcement system is applicable (verbal information from the Officer is also applicable)
  - Do not count any presenting runaway/escape instances in this section as this is in regards to the youth's history which includes any runaway/escape that happened prior to the current intake

# COMPLETING the RAI – AGGRAVATING FACTORS

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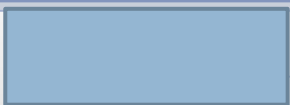

- On probation/DOC Aftercare for a Felony Class A, B, C, 1, or 2 offense; felony assault; or a felony sex crime
  - ▣ Refer to the Offense Chart – Cheat Sheet for offense information
- Multiple offenses are alleged for this referral
  - ▣ From the Law Enforcement report and/or verbal information
- Minor appears to be under the influence of drugs/alcohol at arrest (as indicated by Law Enforcement, Court Services, or DOC)
  - ▣ From conversation with referral entity

# COMPLETING the RAI – MITIGATING FACTORS

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- Parent, guardian, or custodian can assume responsibility of the minor
  - ▣ Definition listed within the South Dakota RAI Training Manual
- No arrests within the past 12 months
  - ▣ From the referring Law Enforcement Officer
- No history of failure to appear within the past 24 months (includes juvenile and magistrate warrants)

## All Warrants

	<u>Returned</u>	Bench Warrant - Failure to Appear Clerk's Office	Issued 01/12/2015 
POSS TWO OUNCES OF MARIJUANA OR LESS INGEST INTOXICANT OTHER THAN ALCOHOLIC BEVERAGE USE OR POSSESSION OF DRUG PARAPHERNALIA Current Balance on Case(s) \$0.00	M1 - 12/18/2014 M1 - 12/18/2014 M2 - 12/18/2014	Served 01/20/2015	

# OVERRIDE OPTIONS

(definitions listed in the RAI Training Manual)

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## DISCRETIONARY OVERRIDES

- ❑ Override Down
- ❑ Parent, Guardian, or Custodian is not available or is not suitable to receive the child (*only an override to an alternative*)
- ❑ Run Risk (*only an override to an alternative*)
- ❑ Minor has failed a detention alternative program
- ❑ Minor held pending referral to mental health/chemical dependency agency
- ❑ Victim in the home and there is an immediate safety concern
- ❑ Close proximity of victim and there is an immediate safety concern

## NON-DISCRETIONARY OVERRIDES

- ❑ Minor held in custody for another jurisdiction
- ❑ Failure to Appear Magistrate warrant
- ❑ Failure to Appear Juvenile warrant
- ❑ Arrest warrant
- ❑ Unable to pay warrant
- ❑ Other (needs to be articulated)

# PROCESS for USING an OVERRIDE

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- Questions to keep in mind:
  - ▣ Does this youth have a **demonstrated** risk to flee the jurisdiction?
  - ▣ Is there a concern that this youth will put public safety at risk if they were to be released?
- If an override is used, **always** provide justification
  - ▣ Use the defined override options first before using the “other” category
  - ▣ The justifications provides a brief summary of why the override was used and assists with:
    - Preparation for the Temporary Custody/Detention Hearing



# COMPLETION OF A TEMPORARY CUSTODY DIRECTIVE (TCD)

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SOUTH DAKOTA UNIFIED JUDICIAL SYSTEM  
TEMPORARY CUSTODY DIRECTIVE

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

MOTHER: \_\_\_\_\_ FATHER: \_\_\_\_\_

Other custodian or guardian information: \_\_\_\_\_

AGE: \_\_\_\_\_ DOB: \_\_\_\_\_ SEX: ☐ Male ☐ Female RACE: ☐ White ☐ Indian ☐ Other  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ COUNTY: \_\_\_\_\_

CALLER: \_\_\_\_\_ AGENCY: \_\_\_\_\_ TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_

Mother Available: ☐ Yes ☐ No Suitable: ☐ Yes ☐ No  
Father Available: ☐ Yes ☐ No Suitable: ☐ Yes ☐ No

ALLEGATION(S): \_\_\_\_\_

**CONSIDERATIONS (check as appropriate):**  
Apparent, alleged or adjudicated

**ABUSED OR NEGLECTED CHILD**

☐ Child is abandoned or is seriously endangered by the child's environment; or

☐ There exists imminent danger to the child's life or safety and immediate removal of the child from the child's parents, guardian or custodian appears to be necessary for the protection of the child.

**CHILD IN NEED OF SUPERVISION - CHINS**

☐ The child has failed to comply with court services or a court-ordered Department of Corrections program;

☐ The child is being held for another jurisdiction as a parole or probation violator, as a runaway or as a person under court-ordered detention;

☐ The child has a demonstrated propensity to run away from the child's home, from court-ordered placement outside the child's home or from agencies charged with providing temporary care for the child;

☐ The child is under court-ordered home detention in this jurisdiction;

☐ There are specific, articulated circumstances which justify the detention for the protection of the child from potentially immediate harm to the child or others; or

☐ The child is accused of or has been found in violation of a valid court order.

**DELINQUENT CHILD**

☐ The child has failed to comply with court services or a court-ordered Department of Corrections program;

☐ The child is a fugitive from another jurisdiction;

☐ The child is charged with sexual contact (22-22-7), a crime of violence (22-1-2(9)) or a serious property crime (felony); or

☐ The child is already held in detention or on conditional release in connection with another juvenile delinquency proceeding.

**The child has a demonstrable recent record of:**

☐ Willful failures to appear for juvenile court;

☐ Violent conduct;

☐ Adjudications for serious property offenses; or

☐ The child is under the influence and detention is the least restrictive alternative in view of the gravity of the alleged offense and is necessary for the physical safety of the child, public or others.

**DECISION**  
(Least restrictive alternative)

☐ Released to: \_\_\_\_\_

☐ Parent: \_\_\_\_\_

☐ Other: \_\_\_\_\_

☐ Restrictions: \_\_\_\_\_

☐ Bond: \$ \_\_\_\_\_

☐ Dept. of Social Services Custody (A&N only)

☐ Foster Care at: \_\_\_\_\_

☐ Shelter at: \_\_\_\_\_

(Abused or neglected children may not be detained or jailed.)

(CHINS may NOT be held more than 24 hours in secure detention but may be placed in shelter longer than 24 hours. CHINS who have violated a valid court order may be held longer if a temporary custody hearing is held by a circuit judge within 24 hours.)

☐ Detained at \_\_\_\_\_

(Jail may ONLY be used for children who have been transferred to adult court and who are 15, 16 or 17 AND if the offense is sexual contact or a crime of violence.)

Comments: \_\_\_\_\_

SIGNED: \_\_\_\_\_

INTAKE OFFICER

\*A child who has violated a valid court order may be placed in temporary custody even if a parent is available and suitable but a temporary custody hearing must be held within 24 hours if detention is to be continued.

DISTRIBUTION: State's Attorney and Intake Officer

UJS 481  
revised 02/04

- A TCD (Temporary Custody Directive) should be completed **each time** a RAI is completed
- The top portion of the TCD should be completed in its entirety
- The Intake Officer chooses whichever statement best fits the situation on the left side of the TCD document
- The right side of the document should identify the actual decision that is made regarding the youth's custody status (i.e. release, shelter at, or detained at)
  - If a youth is released to a parent/guardian, then list the name if available
- The Intake Officer completing the RAI and TCD documentation should sign on the bottom right page of the form on the line above "Intake Officer"
- Both the RAI **and** the TCD should be sent to the grouping that is set up for each County